



2020 South Dakota Legislature
Senate Bill 167
ENROLLED

AN ACT

ENTITLED An Act to revise a provision regarding eligibility for the South Dakota opportunity scholarship.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 13-55-31 be AMENDED:

13-55-31. Eligibility requirements for opportunity scholarship.

In order to be eligible for a South Dakota opportunity scholarship award, a student shall:

- (1) Be a resident of South Dakota at the time of graduation from high school;
- (2) Have a composite score or superscore of 24, or higher, on the ACT or an equivalent score as determined by the Board of Regents on the SAT. The student shall take the ACT or SAT before beginning postsecondary education;
- (3) Meet the high school course requirements for graduation as provided in § 13-55-31.1;
- (4) Attend a university, college, or technical school that is accredited by the North Central Association of Colleges and Schools and that provides instruction from a campus located in South Dakota; and
- (5) Enter into the program within five years of graduation from high school or within one year of the student's release from active duty with an active component of the armed forces if the release is within five years of the student's graduation from high school. If a student attends full-time a regionally accredited university, college, or technical school located outside South Dakota and within two years following high school graduation or within two years following release from active military service returns to the state to attend full-time a regionally accredited university, college, or technical school, the student is eligible to receive a partial award.

A student is eligible to participate in the South Dakota opportunity scholarship program for the equivalent of four academic years (eight consecutive spring and fall terms) or until

the attainment of a baccalaureate degree, whichever comes first. However, the executive director of the Board of Regents may grant exceptions to the continuous enrollment requirements for good cause shown.

A student who would have been eligible for the scholarship, but who applies after completing one or more semesters of full-time work at an accredited institution, may be admitted to the program only if the student has complied with the same grade point and credit hour requirements that would apply to program participants. Admission granted under these circumstances may not be retroactive, and eligibility for participation in the program shall be reduced by one semester for each semester of work completed prior to admission to the program.

Section 2. That § 13-55-31.2 be AMENDED:

13-55-31.2. Alternative testing requirements for opportunity scholarship eligibility.

Any student who does not meet the high school course requirements as provided in subdivision 13-55-31(3) is eligible for the opportunity scholarship program if:

- (1) The student takes the ACT and earns a composite score or superscore of twenty-eight or higher and achieves ACT college readiness benchmark scores equaling or exceeding eighteen for English, twenty-one for reading, twenty-two for math, and twenty-four for science; or
- (2) The student takes the SAT and earns a verbal-mathematics score of twelve hundred fifty or higher, while also attaining sufficiently high markers in reading, writing, mathematics, and science as not to require remediation in any of those areas.

Section 3. That § 13-55-31.3 be AMENDED:

13-55-31.3. Opportunity scholarship eligibility requirements for students who received alternative instruction.

In order to be eligible for a South Dakota opportunity scholarship pursuant to this section, a student who received alternative instruction pursuant to §§ 13-27-2 to 13-27-9, inclusive, shall:

- (1) Be a resident of this state;
- (2) Obtain a composite score or superscore of at least twenty-four on the ACT or a comparable score on the SAT as determined by the Board of Regents;
- (3) Provide a transcript of completed coursework that is issued by the parent or guardian listed on the certificate of excuse and which includes:

- (a) Four or more units of language arts, including:
 - (i) One and one-half units of writing;
 - (ii) One and one-half units of literature, one-half unit of which must be American literature;
 - (iii) One-half unit of speech or debate; and
 - (iv) One-half unit of a language arts elective;
 - (b) Three or more units of social studies, including:
 - (i) One unit of U.S. history;
 - (ii) One-half unit of U.S. government;
 - (iii) One-half unit of geography;
 - (iv) One-half unit of world history; and
 - (v) One-half unit of a social studies elective;
 - (c) Four units of mathematics, including:
 - (i) One unit of algebra I;
 - (ii) One unit of geometry;
 - (iii) One unit of algebra II; and
 - (iv) One unit of advanced math;
 - (d) Four units of science, at least three of which must be laboratory science, including:
 - (i) One unit of biology;
 - (ii) One unit of any physical science;
 - (iii) One unit of chemistry or physics; and
 - (iv) One unit of science electives;
 - (e) Two units of either of the following or a combination of the two:
 - (i) Career and technical education; and
 - (ii) World languages;
 - (f) One-half unit of personal finance or economics;
 - (g) One unit of fine arts;
 - (h) One-half unit of physical education; and
 - (i) One-half unit of health or health integration;
- (4) Attend a university, college, or technical school that is accredited by the Higher Learning Commission and provides instruction from a campus located in this state; and
- (5) Enter into the program:

- (a) Within five years after the conclusion of the school year in which the student graduated, while being excused from school attendance in accordance with §§ 13-27-2 to 13-27-9, inclusive; or
- (b) Within one year after the conclusion of the school year in which the student was discharged from active duty with the armed forces, provided the discharge occurred within five years after the conclusion of the school year in which the student graduated, while being excused from school attendance in accordance with §§ 13-27-2 to 13-27-9, inclusive.

If a student attends full-time a regionally accredited university, college, or technical school, located outside this state, and within two years from the end of the school year in which the student graduated, while being excused from school attendance in accordance with §§ 13-27-2 to 13-27-9, inclusive, or within two years after the conclusion of the school year in which the student was discharged from active duty with the armed forces, as set forth in subsection (b) of subdivision (5), returns to the state to attend full-time a regionally accredited university, college, or technical school, the student is eligible to receive a partial award.

A student is eligible to participate in the South Dakota opportunity scholarship program for the equivalent of eight consecutive fall and spring semesters or until the attainment of a baccalaureate degree, whichever comes first. The Board of Regents may grant exceptions to the continuous enrollment requirement upon a showing of good cause.

An Act to revise a provision regarding eligibility for the South Dakota opportunity scholarship.

I certify that the attached Act originated in the:

Received at this Executive Office this ____ day of _____,

Senate as Bill No. 167

2020 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby approved this _____ day of _____, A.D., 2020

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2020
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 167

File No. _____

Chapter No. _____

By _____
Asst. Secretary of State